

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

DEANNA DONALDSON,

Plaintiff,

v.

WESTERN OREGON UNIVERSITY,

Defendant.

Case No. 3:23-cv-01450-YY

ORDER ADOPTING F&R

Carl Lee Post, Daniel J. Snyder, and John D. Burgess, Law Offices of Daniel Snyder, 1000 S.W. Broadway Suite 2400, Portland, OR 97205. Attorneys for Plaintiff.

Heather Van Meter, Miller Nash LLP, 500 E Broadway Suite 400, Vancouver, WA 98660. Attorney for Defendant.

IMMERGUT, District Judge.

On December 22, 2023, Magistrate Judge Youlee Yim You issued her Findings and Recommendations (“F&R”), ECF 13, recommending that Defendant’s Motion to Dismiss, ECF 8, be GRANTED. No party filed objections. This Court ADOPTS Magistrate Judge You’s F&R.

LEGAL STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a

de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No party having filed objections, this Court has reviewed the F&R, ECF 13, and accepts Judge You’s conclusions. Judge You’s F&R, ECF 13, is adopted in full. Accordingly, this Court GRANTS Defendant’s Motion to Dismiss, ECF 8, and DISMISSES this case without prejudice.

IT IS SO ORDERED.

DATED this 17th day of January, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge